

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LARRY BARBER,

Plaintiff,

vs.

STEVE WILLIAMS, *et al.*,

Defendants.

Case No.: 2:13-cv-00538-GMN-CWH

**ORDER ACCEPTING REPORT &
RECOMMENDATION OF MAGISTRATE
JUDGE C.W. HOFFMAN, JR.**

Before the Court for consideration is the Report and Recommendation (ECF No. 6) of the Honorable C.W. Hoffman, Jr., United States Magistrate Judge, entered July 8, 2013.

Pursuant to Local Rule IB 3-2(a), objections were due by July 25, 2013. No objections have been filed. In accordance with 28 U.S.C. § 636(b)(1) and Local Rule IB 1-4, the Court has reviewed the record in this case and has determined that Magistrate Judge Hoffman's Recommendation should be **ACCEPTED**.

IT IS THEREFORE ORDERED that Plaintiff's Eighth Amendment claim against all Defendants, Fourteenth Amendment claim against all Defendants, punitive damages claim against Metro, and claims against the individual defendants named in their official capacity are hereby **DISMISSED with prejudice** because Plaintiff failed to state a claim upon which relief can be granted and amendment would be futile.

DATED this 2nd day of August, 2013.



Gloria M. Navarro
United States District Judge